

# House File 335 - Introduced

HOUSE FILE 335

BY GASSMAN and SHEETS

## A BILL FOR

- 1 An Act relating to county compensation boards by requiring that
- 2 members of the board be elected and that the board review
- 3 benefits paid to certain comparable officers.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 331.321, subsection 1, paragraph 1, Code  
2 2015, is amended by striking the paragraph.

3 Sec. 2. Section 331.905, subsections 1 and 2, Code 2015,  
4 are amended by striking the subsections and inserting in lieu  
5 thereof the following:

6 1. The county compensation board shall consist of seven  
7 members elected on a nonpartisan basis at the general election  
8 for staggered four-year terms commencing on the first day  
9 of January that is not a Sunday or holiday following their  
10 election. Any eligible elector residing in the county is  
11 eligible to the office of board member. If a member is absent  
12 for sixty percent or more of monthly meetings during any  
13 twelve-month period, the other members by their unanimous  
14 vote may declare the member's office vacant. A vacancy in  
15 the office of board member shall be filled by appointment by  
16 the remaining members of the board until the next succeeding  
17 general election, at which time the balance of the unexpired  
18 term shall be filled as provided by section 69.12.

19 2. At each general election, a successor shall be chosen  
20 for each board member whose term will expire in the succeeding  
21 January.

22 a. Nomination of candidates for the office of board member  
23 shall be made by petition in accordance with chapter 45, except  
24 that each candidate's nominating petition shall be signed by  
25 at least twenty-five eligible electors of the county. The  
26 petition form shall be furnished by the county commissioner of  
27 elections.

28 b. Every candidate shall file with the nomination papers  
29 an affidavit stating the candidate's name, the candidate's  
30 residence, that the person is a candidate and is eligible for  
31 the office of board member, and that if elected the candidate  
32 will qualify for the office. The affidavit shall also state  
33 that the candidate is aware that the candidate is disqualified  
34 from holding office if the candidate has been convicted of a  
35 felony or an infamous crime and the candidate's rights have not

1 been restored by the governor or by the president of the United  
2 States.

3     *c.* The signed petitions shall be filed with the county  
4 commissioner of elections not later than 5:00 p.m. on the  
5 sixty-ninth day before the general election.

6     *d.* The votes for the office of board member shall be  
7 canvassed in the same manner as the votes for county officers,  
8 and the returns shall be certified to the county board of  
9 supervisors. A plurality is sufficient to elect board members,  
10 and a primary election for the office shall not be held.

11     Sec. 3. Section 331.907, subsection 1, Code 2015, is amended  
12 to read as follows:

13     1. The annual compensation of the auditor, treasurer,  
14 recorder, sheriff, county attorney, and supervisors shall  
15 be determined as provided in this section. The county  
16 compensation board annually shall review the compensation  
17 and benefits paid to comparable officers in other counties  
18 of this state, other states, private enterprise, and the  
19 federal government. In setting the salary of the county  
20 sheriff, the county compensation board shall consider setting  
21 the sheriff's salary so that it is comparable to salaries  
22 paid to professional law enforcement administrators and  
23 command officers of the state patrol, the division of criminal  
24 investigation of the department of public safety, and city  
25 police agencies in this state. The county compensation board  
26 shall prepare a compensation and benefits schedule for the  
27 elective county officers for the succeeding fiscal year. A  
28 recommended compensation and benefits schedule requires a  
29 majority vote of the membership of the county compensation  
30 board.

31     Sec. 4. TRANSITION PROVISIONS.

32     1. Membership terms of all county compensation board  
33 members serving on the effective date of this Act shall expire  
34 on December 31, 2016.

35     2. In each county, the canvass following the general

1 election held in 2016 shall declare that the four candidates  
 2 receiving the highest, second highest, third highest, and  
 3 fourth highest number of votes are elected to serve four-year  
 4 terms and those offices shall next appear on the ballot at the  
 5 general election held in 2020. In each county, the canvass  
 6 following the general election held in 2016 shall also declare  
 7 that the three candidates receiving the fifth highest, sixth  
 8 highest, and seventh highest number of votes shall serve  
 9 initial two-year terms, and those offices shall next appear on  
 10 the ballot at the general election held in 2018.

11 EXPLANATION

12 The inclusion of this explanation does not constitute agreement with  
 13 the explanation's substance by the members of the general assembly.

14 This bill relates to county compensation boards by requiring  
 15 that members of the county compensation board be elected and  
 16 that the board review benefits paid to comparable officers.

17 Under current law, members of the county compensation board  
 18 are appointed by the board of supervisors, county auditor,  
 19 county attorney, county recorder, county treasurer, and county  
 20 sheriff, with the board of supervisors appointing two members.  
 21 The bill provides for the election of the seven-member county  
 22 compensation board to four-year staggered terms. The bill  
 23 makes provisions related to qualification and elections  
 24 administration, and includes transition provisions.

25 Under current law, the county compensation board, in  
 26 making recommendations for the compensation of elected county  
 27 officers, is required to annually review the compensation paid  
 28 to comparable officers in other counties of this state, other  
 29 states, private enterprise, and the federal government. The  
 30 bill requires that the board also review the benefits paid to  
 31 such comparable officers.